

PATENT COOPERATION TREATY

PCT/AUS2004/002073

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)

(PCT Rule 44bis, 1(c))

To:

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7th Floor
412 Main Street
Houston, TX 77002
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)
03 August 2006 (03.08.2006)

Applicant's or agent's file reference:
1981-1

IMPORTANT NOTICE

International application No.:
PCT/AUS2004/002073

International filing date (day/month/year):
27 January 2004 (27.01.2004)

Priority date (day/month/year):

Applicant:

ARCANA INTERNATIONAL, INC. et al.

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty).

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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's original file reference 1881-1	FOR FURTHER ACTION		See Item 4 below
International application No. PCT/US2004/002073	International filing date (day/month/year) 27 January 2004 (27.01.2004)	Priority date (day/month/year)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant: ARCANA INTERNATIONAL, INC.			

<p>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis I(a).</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>In the bracketed sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) issued.</p>																	
<p>3. This report contains indications relating to the following items:</p> <table> <tbody> <tr> <td><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Required statement under Article 55(2) with regard to novelty, inventive step or industrial applicability; classification and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </tbody> </table>		<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Required statement under Article 55(2) with regard to novelty, inventive step or industrial applicability; classification and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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<input type="checkbox"/> Box No. VIII	Certain observations on the international application																
<p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 14bis.3(c) and 33bis.1(b), not except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).</p>																	

<p>The International Bureau of WIPO 34, chemin des Colombeaux 1211 Geneva 20, Switzerland</p> <p>Fax: +41 22 338 82 70</p> <p>Printed PCT/US2004/002073 (January 2004)</p>		<p>Date of issuance of this report 27 July 2006 (27.07.2006)</p> <p>Authorized officer Ellen Moyss</p>
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PATENT COOPERATION TREATY

From:

INTERNATIONAL SEARCHING AUTHORITY

To:

JOHN S. EGERTON
HARRISON & EGERTON
410 MAIN STREET, 7TH FLOOR
HOUSTON, TX 77002

RECD 8 OCT 2004

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INFO

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43(b), 1)

Date of mailing
(day/month/year)

28 SEP 2004

FOR FURTHER ACTION

See paragraph 2 below

Applicant's or agent's file reference

108014

International application No.

PCT/US2004/00733

International filing date (day/month/year)

27 January 2004 (27.01.2004)

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC

IPC/CN: C01M 21/00, 23, 41, 47; 23/00, 48 and US Cl.: 433/33, 42, 68.1, 69, 70, 71, 81, 82.05, 438/43, 37, 164; 731.31, 1.02, 1.58

Applicant

ARCANA INTERNATIONAL, INC.

1. This opinion contains indications relating to the following items:

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Box No. I Basis of the opinion |
| <input type="checkbox"/> | Box No. II Priority |
| <input type="checkbox"/> | Box No. III Non-establishment of新颖性 with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V Reasoned statement under Rule 43(b), 1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI Certain documents cited |
| <input type="checkbox"/> | Box No. VII Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1(b)(ii) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply, together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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Authorized officer

Brian J. Stiles

Telephone No. (703) 272-1760

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/02073

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item:

This opinion has been established on the basis of a translation from the original language into the following language _____ which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- a sequence listing
 table(s) related to the sequence listing

b. format of material

- in written format
 in computer readable form

c. case of filing/furnishing

- contained in international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2003/010000

See No. 1 International search report dated 03 May 2003 with regard to novelty, inventive step or industrial
appropriateness, detailed and explanatory reasoning and evidence.

Priority (a)

Claims 1-23 YES
Claims 24-26 NO

Inventive step (b)

Claims 1-23 YES
Claims 24-26 NO
Claims 27-28 NO

2. Objections and rejections:

Claims 1 - 23 are not entitled to PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the technical solution or the means for performing particular function of a subject-matter claimed.